

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

PLAINTIFF

vs.

CIVIL NO. 1:21-CV-00112-MPM-DAS

\$4,000.00 IN U.S. CURRENCY, et al.

DEFENDANT

DEFAULT JUDGMENT OF FORFEITURE

A Verified Complaint for Forfeiture *in rem* was filed on July 9, 2021, against the defendant property. The complaint alleges that the defendant property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) as personal property constituting or derived from proceeds traceable to violations of 18 U.S.C. §§ 1028, 1029 (Identity Theft and Access Device Fraud, respectively).

The Clerk of Court, upon review of this matter, finds as follows:

1. That pursuant to Fed. R. Civ. P. 55(b)(1), the Clerk of the Court has the authority to enter a Default Judgment of Forfeiture as the Plaintiff's claim is for a sum certain, namely the following property:

- a. \$4,000.00 in U.S. currency; and
- b. Various Communication Devices and Electronic Equipment specifically identified in Exhibit A, Verified Complaint (Dkt. 1).

2. The Plaintiff has complied with the noticing requirements of Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Additionally, the individuals who may have had a claim to the defendant property, namely Isaiah Rafael Tavaréz-Baldwin, Justin Hernandez, Joes Antonio Salas Valeza, and Carlos Tomas Javier

have each executed an Abandonment and Waiver of Claims to Personal Property with respect to the defendant property.

3. That a Request for Clerk's Entry of Default, with the attached Declaration of Samuel D. Wright, is on file in the office of the Clerk of this Court in this cause.

4. On November 29, 2021, the Clerk of the Court properly entered a Default against the Defendant property as no claim, answer or defense was filed by the above-stated dates or within the time permitted by Rule G of the Supplemental Rules for Certain Admiralty and Maritime Claims. See Dkt #3.

5. The United States has requested that a Default Judgment of Forfeiture be entered against the Defendant Property.

It is, therefore:

ORDERED AND ADJUDGED that the defendant property, namely:

- a. \$4,000.00 in U.S. currency; and
- b. Various Communication Devices and Electronic Equipment specifically identified in Exhibit A, Verified Complaint (Dkt. 1),

shall be and is hereby **FORFEITED** to the United States of America and no right, title or interest in said defendant property shall exist in any other person or party.

IT IS FURTHER ORDERED AND ADJUDGED that the defendant property forfeited to the United States shall be disposed of by the United States in accordance with applicable law.

SO ORDERED AND ADJUDGED this the 29th day of November, 2021.

DAVID CREWS
CLERK OF COURT

By: s/ Jennifer L. Adams
DEPUTY CLERK

